

IC 8-2-6

Chapter 6. Disposition by Common Carrier of Unclaimed Property

IC 8-2-6-1

Time for sale

Sec. 1. When any freight or any baggage of passengers has been conveyed by a common carrier to any point in this state and shall remain unclaimed for the space of three (3) months at the place to which it is consigned or checked, and the owner, whether known or unknown, fails, within that time, to claim such freight or baggage, and to pay the proper charges, if any there be against it, then it shall be lawful for such common carrier to sell such freight or baggage at public auction, offering each box, bale, trunk, valise or other article separately as consigned or checked.

(Formerly: Acts 1865(ss), c.97, s.1.)

IC 8-2-6-2

Notice of sale; sale; proceeds; disposition

Sec. 2. Sixty (60) days' notice of the time and place of sale and a descriptive list of the articles to be sold, with the names, numbers, or other marks found thereon, shall be posted up in three (3) public places of the county where the sale is to be made and one (1) on the door of the depot or warehouse, if any, where the goods are; and shall also give notice in at least one (1) paper in the county for sixty (60) days before sale; and, out of the proceeds of such sale, the carrier shall pay the proper charges on such freight or baggage, including costs for storage for the previous three (3) months, and hold the overplus, if any, subject to the order of the owner, at any time with five (5) years, on proof of ownership, made by the affidavit of the claimant or his duly authorized agent or attorney. Also, after five (5) years, all sums of money remaining unclaimed to be paid into the county treasury, to be placed to the account of common schools.

(Formerly: Acts 1865(ss), c.97, s.2.)

IC 8-2-6-3

Records; inspection

Sec. 3. The carrier shall keep a copy of the notice, a copy of the sale-bill, and the expenses thereof proportioned to each article sold, and also the oath of the claimant of the residue of the proceeds as aforesaid; and shall furnish an inspection of the same, and, if required, copies thereof, to any one, on payment of the proper charges therefor.

(Formerly: Acts 1865(ss), c.97, s.3.)

IC 8-2-6-4

Perishable property or live stock

Sec. 4. If any perishable property or live stock shall be so conveyed, either as freight or baggage as aforesaid, and remain unclaimed until in danger of great depreciation, or such live stock be

falling away because the carrier has not facilities to feed and water the same, then the carrier may, after the expiration of five (5) days from the time said property is conveyed to the place to which it is consigned or checked, sell, at private sale or auction, without giving the sixty (60) days notice, for the best price it will bring, and apply the proceeds as aforesaid.

(Formerly: Acts 1865(ss), c.97, s.4.) As amended by P.L.5-1988, SEC.49.